

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MATTHEW LOUIS MERCADO,

Plaintiff,

- against -

ORDER

NEW WINDSOR N.Y. P.D. 12533,
DET. FRANK VOLPE,
DET. KEVIN MOORE and
OFFICER CHRISTOPHER DiLORENZO,

No. 19-CV-11843 (CS)

Defendants.

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Seibel, J.

The docket reveals no indication that Defendants have served Plaintiff with the required “Notice To *Pro Se* Litigant Who Opposes a Motion For Summary Judgment.” Defendants’ motion for summary judgment is denied without prejudice to renewal. Defendants are hereby ORDERED to re-serve their motion with the required Notice in the form indicated in Local Civil Rule 56.2 no later than 7 days from the date of this Order. Plaintiff shall then respond no later than 21 days from receipt of the Motion and Local Rule 56.2 Notice by filing an opposing 56.1 statement. The Court will consider the affirmation that Plaintiff already filed, but Plaintiff needs to respond to the 56.1 Statement as well. The Bench Ruling previously set for October 29, 2021 is adjourned to December 9, 2021 at 11:15 a.m. The Clerk shall terminate the pending motion, (ECF No. 53).

SO ORDERED.

Dated: September 29, 2021
White Plains, New York



CATHY SEIBEL, U.S.D.J.